

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

NICHOLAS BUKOSKI

Defendant.

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Criminal Case: 18 Cr. 101(TSC)

FILED

SEP 26 2018

Clerk, U.S. District and
Bankruptcy Courts

STATEMENT OF OFFENSE

Had this case gone to trial, the government would have proven beyond a reasonable doubt that, on or about March 24, 2018, defendant **NICHOLAS BUKOSKI** committed the offense of knowingly transmitting in interstate commerce, a communication, and the communication contained a threat to injure the person of another, namely, to injure participants in the “March For Our Lives” demonstration in support of stricter gun laws, with the knowledge that the communication would be viewed as a threat, in violation of 18 U.S. C. § 875(c). Among other facts, the evidence at trial would have included the facts described below:

1. Defendant **NICHOLAS BUKOSKI**, used an instrument of interstate commerce, that is, a cellular telephone registered in his name to send a text message to the Metropolitan Police Department Police (“MPD”) text tip line.

2. On March 24, 2018, three threatening messages were communicated within 20 minutes from the defendant in Maryland to locations in the District of Columbia. The first Instagram direct message was to the office of United States Senator Bernard Sanders and stated “**Senator, I would watch your back as you’re out today... You wouldn’t want to be caught off guard when I use my second amendment protected firearm to rid the world of you, you**

stupid, crazy old fool...” Two minutes later an Instagram direct message was sent to the office of United States Senator Kamala Harris and stated **“You fucking bitch, I am going to make sure you and your radical lefty friends never get back in power you will never run for president, because you won’t make it to see that day.”** The third threat was via the defendant’s cellular telephone to the Metropolitan Police Department (“MPD”) text tip line and stated: **“forms...I am intending to send the message that gun control, bomb control, or any other kind of weapons control will not stop attacks, it is an issue of the heart. My heart is messed up and evil, and part of me wants to see people suffer, goddammit. Anyway, good luck and Godspeed finding my presents. This will be my only message.”**

3. MPD considered the threat to the tip line as directed against the *March for Our Lives* event that was taking place in Washington, D.C. and attended by thousands speaking out against school shootings and gun violence. Investigators believed the word “presents” referred to explosive devices. MPD obtained the subscriber information from the cellular provider and determined that the text message came from **NICHOLAS EDWARD BUKOSKI**, with his date of birth, home address in Anne Arundel County, Maryland and an email address associated with the number.

4. Anne Arundel County Police responded to the home and met the defendant and his father who allowed entry and spoke to the officers. The defendant was sitting at the kitchen table with a black and red colored cell phone near his right hand. The defendant was asked if he contacted anyone in Washington, DC. He turned to his father and asked him to call his lawyer. The defendant was visibly “nervous” and kept looking at this watch. He informed the officers that he studies “police tactics,” and asked if the “bomb squad was coming.” The defendant then stated “they don’t need to come here.” When asked what he meant by that statement, he did not answer. At that time, he was placed in handcuffs and taken to the Anne Arundel Medical Center for

emergency evaluation. On the way to the medical facility, the defendant stated that he was not crazy and if he was, he would have already done something. Law enforcement seized a laptop and cell phone owned by his father and use by the defendant, as well as two composition journals written by the defendant.

5. The defendant made several statements at the Anne Arundel Medical Center. He admitted to sending the threats and acknowledged that he crossed the line from free speech to hate speech and violence. Specifically, he sent threatening messages to Senator Bernie Sanders, Senator Kamala Harris, and the DC Police. He was watching the news and social media, which made him want to send the threats. He stated that he was frustrated with liberals and he is very supportive of the current president. He stated he watches Fox News 8-12 hours a day. This was the first time he ever made such threats, which he considered “watch your back threats.” He told the officer his telephone number, which is the same number the sent that message to the MPD tip line. He admitted the threats to the Senators were from his Instagram account. He stated his anger got the best of him. He observed several videos on Instagram about the *March* in DC that angered him. Senators Sanders and Harris had posted messages on Instagram in support of the *March*. The defendant does not have access to a firearm. He stated, his “parents won’t purchase a firearm based on his history and the strict gun laws in Maryland” he “probably won’t be able to get one.” The defendant stated, “I don’t want to kill people unless I absolutely need to.” When asked about the “presents,” referenced in the text message, the defendant stated there were none and that he was “not as smart as the Boston Bombers or the guy in Austin.”

6. A court authorized search warrant was executed for items taken from the defendant’s house. Examination of the cell phone indicated that on March 24, 2018, approximately 40 minutes before he sent the first threatening message, the defendant looked up contacting Senator Sanders and the MPD tip line as well as a Wikipedia page entitled, “threatening


government officials of the United States” and a blog entitled “Assassination Threats Against the President: What lands you in prison?” One of the handwritten notes inside a black composition journal contained the following message:

“What did I do? Saturday March 24. This morning I sent threatening Instagram DMs to:”

7. On April 9, 2018, the defendant was arrested in Anne Arundel County for armed robbery of a 7-11 with a knife that occurred on January 11, 2018. At the time of the arrest, following Miranda warnings, the defendant confessed to the threats in this case.

JESSIE K. LIU
UNITED STATES ATTORNEY
D.C. Bar Number 472845

By:


Brenda J. Johnson
Assistant United States Attorney

Defendant's Agreement

After consulting with my attorney, Ceila Goetzl, and pursuant to the plea agreement entered into between me, NICHOLAS BUKOSKI, and the United States Attorney's Office for the District of Columbia, I hereby state and agree that the foregoing Statement of Offense is true and accurate. No one has forced or compelled me to agree to this Statement of Offense. I have agreed to this Statement of Offense because the facts set forth above are true and accurate to the best of my knowledge.

9/26/18
Date

Nicholas Bukoski
NICHOLAS BUKOSKI

Defense Counsel's Acknowledgment

I am NICHOLAS BUKOSKI's attorney. I have carefully reviewed the foregoing Statement of Offense with him. To my knowledge, his decision to stipulate and agree to these facts is an informed and voluntary one.

9/26/18
Date

Ceila Goetzl
Ceila Goetzl, Esquire
Counsel for the Defendant